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OCT 05 2006

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in this application:

**Listing of Claims:**

1.-22. (canceled).

1           23. (withdrawn) In a rate adaptive cardiac pacemaker adapted to be implanted in a  
2 patient's body, an improvement comprising:  
3           electrodes situated on one of a housing and a header of the pacemaker, and  
4           an electronic module for measuring impedance changes at said electrodes when the  
5 pacemaker is implanted, to control the pacing rate generated by the pacemaker.

1           24. (withdrawn) The device of claim 23, including  
2           an accelerometer for detecting status of physical activity of the patient to assist in  
3           adjusting the pacing rate of the pacemaker.

1           25. (new) An implantable device-implemented method of early detection and  
2 monitoring of congestive heart failure in a patient, which comprises the steps of: measuring  
3 local impedance of a portion of the patient's body generally occupied by the lungs solely  
4 through surface mounted electrodes on the device with the device implanted subcutaneously  
5 in the patient's body at the locality where the impedance measurements are to be performed,  
6 determining when the local impedance measurements are indicative of a condition of  
7 congestive heart failure other than from the existence of a state of edema of the patient, and  
8 detecting respiratory rate and depth of respiration of the patient through circuitry of said  
9 device electrically coupled to said electrodes as a measure of patient ventilation.

1           26. (new) The device-implemented method of claim 25, including:  
2           controlling the pacing rate of a rate adaptive artificial cardiac pacemaker implanted in  
3 the patient, according to the measured patient ventilation.

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1           27. (new) The device-implemented method of claim 26, including:  
2           employing an accelerometer in said device to detect physical activity of the patient and  
3           to generate an activity signal as a secondary control of the pacing rate of said pacemaker.

1           28. (new) The device-implemented method of claim 25, including:  
2           detecting the cardiopulmonary status of the patient, using the measured patient  
3           ventilation.

1           29. (new) The device-implemented method of claim 25, wherein the device is  
2           implanted subcutaneously at the lower left side of the patient's thoracic cage.

1           30. (new) The device-implemented method of claim 25, including determining when  
2           the impedance measurements exceed a predetermined threshold value indicative of a need for  
3           immediate attention to a condition of congestive heart failure.

1           31. (new) An implantable device-implemented method of early detection and  
2           monitoring of congestive heart failure in a patient, which comprises the steps of: measuring  
3           local impedance of a portion of the patient's body generally occupied by the lungs solely  
4           through surface mounted electrodes on the device with the device implanted subcutaneously  
5           in the patient's body at the locality where the impedance measurements are to be performed,  
6           determining when the local impedance measurements are indicative of a condition of  
7           congestive heart failure based on factors other than the existence of edema, detecting the  
8           patient's heart rate/activity pattern through said electrodes while concurrently monitoring said  
9           local impedance measurements to evaluate cardiopulmonary status of the patient, and  
10          evaluating the trend of the heart rate/activity pattern and said concurrent local impedance  
11          measurements against one another over a selected period of time, as an additional indicia of

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12 congestive heart failure.

1           32. (new) A body-implantable device to provide early detection of congestive heart  
2 failure in a patient, comprising a circuit module having surface mounted electrodes of the  
3 device arranged, when the device is implanted subcutaneously, for exposing said electrodes to  
4 tissue in a portion of the patient's body generally occupied by the lungs, said circuit module  
5 including circuitry that measures local impedance of said body portion through said surface  
6 mounted electrodes and determines when the impedance measurements are indicative of a  
7 condition of congestive heart failure wherein the determination of congestive heart failure is  
8 based on factors other than the existence of edema of the patient, said circuit module further  
9 including an accelerometer arranged and adapted to detect physical activity of the patient and  
10 to respond in real time to generate a concomitant signal to adjust pacing rate of an artificial  
11 pacemaker implanted in the patient consonant with extent of the detected physical activity.

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